

ORDINANCE NO. 880128-F

AN ORDINANCE ORDERING A REZONING AND CHANGING THE ZONING MAP ACCOMPANYING CHAPTER 13-2A OF THE AUSTIN CITY CODE OF 1981 AS FOLLOWS:

- TRACT 1A. 27,326 SQUARE FEET OF LAND OUT OF THE JOHN APPLGATE SURVEY, FROM "LO" LIMITED OFFICE TO "GR" COMMUNITY COMMERCIAL; AND,
- TRACT 1B. 13,650 SQUARE FEET OF LAND OUT OF THE JOHN APPLGATE SURVEY, FROM "MF-3" MULTI-FAMILY RESIDENCE (MEDIUM DENSITY) TO "GR" COMMUNITY COMMERCIAL; AND,
- TRACT 2. 37,485 SQUARE FEET OF LAND OUT OF THE JOHN APPLGATE SURVEY, FROM "CS" COMMERCIAL SERVICES TO "CS-1-CO" COMMERCIAL-LIQUOR SALES WITH A CONDITIONAL OVERLAY COMBINING DISTRICT;

ALL BEING LOCALLY KNOWN AS 9616 NORTH I.H. 35, SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; WAIVING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE (3) SEPARATE DAYS; AND DECLARING AN EMERGENCY.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

PART 1. Chapter 13-2A of the Austin City Code of 1981 is hereby amended to change the base zoning district on the property described in File C14r-87-169, as follows:

TRACT 1A. From "LO" Limited Office to "GR" Community Commercial.

27,326 square feet of land out of the John Applegate Survey in Travis County, Texas, said tract being a portion of a tract conveyed to Rundberg Lane Properties in Volume 3812, Page 33 of the Travis County, Texas Deed Records, said tract being more particularly described by metes and bounds in Exhibit "A," attached hereto and incorporated herein for all purposes; and,

TRACT 1B. From "MF-3" Multi-Family Residence (Medium Density) to "GR" Community Commercial.

13,650 square feet of land out of the John Applegate Survey in Travis County, Texas, said tract being a portion of a tract conveyed to Rundberg Lane

Properties in Volume 3812, Page 33 of the Travis County, Texas Deed Records, said tract being more particularly described by metes and bounds in Exhibit "B," attached hereto and incorporated herein for all purposes; and,

TRACT 2. From "CS" Commercial Services to "CS-1-CO" Commercial-Liquor Sales in combination with a Conditional Overlay combining district as set forth in Part 2 of this ordinance.

37,485 square feet of land out of the John Applegate Survey in Travis County, Texas, said tract being a portion of a 2.168 acre tract conveyed to Tom McElhenny in Volume 5139, Page 225 of the Travis County, Texas Deed Records, also being a portion of a 2.0 acre tract conveyed to Tom McElhenny in Volume 4026, Page 1396 of the Travis County, Texas Deed Records, said tract being more particularly described by metes and bounds in Exhibit "C," attached hereto and incorporated herein for all purposes;

locally known as 9616 North I.H. 35 in the city of Austin, Travis County, Texas.

PART 2. Notwithstanding any use or site development regulations of the "CS-1" Commercial-Liquor Sales base district to the contrary, the property within the boundaries of the Conditional Overlay combining district established by this ordinance is subject to the following restrictions:

1. The following use of Tract 2 of the Property, as described in Part 1 of this ordinance, is prohibited:
 - a) adult-oriented commercial establishments, as defined in Section 4350 of Chapter 13-2A of the Austin City Code.

Except as specifically restricted pursuant to this Part 2, Tract 2 of the Property may be developed and used in accordance with the regulations established for the "CS-1" Commercial-Liquor Sales base district and other applicable requirements of the Zoning Regulations.

PART 3. That the development of the property herein described shall be accomplished in accordance with the site plan attached hereto as Exhibit "D", or as such site plan is subsequently adjusted or modified as provided by subsection 13-2A-6100 et seq., of the Austin City Code of 1981. Except to the extent that such site plan is inconsistent therewith, the development and use of the property described herein shall be in accordance with applicable ordinances of the city of Austin.

PART 4. It is hereby ordered that the zoning map(s) accompanying Chapter 13-2A of the Austin City Code of 1981 and made a part thereof shall be changed so as to record the change ordered in this ordinance.

PART 5. The requirement imposed by Section 2-2-3 of the Austin City Code of 1981 that this ordinance be read on three (3) separate days shall be waived by the affirmative vote of five (5) members of the City Council to pass this ordinance through more than one reading on a single vote.

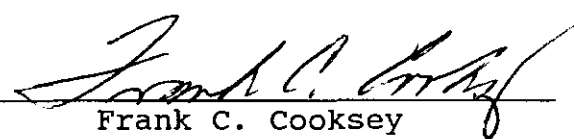
PART 6. The City Council declares that an emergency exists concerning the safe, orderly, and healthful growth and development of the city in order to assure the immediate preservation of the public peace, health, safety and general welfare; therefore, the rule providing for the reading of an ordinance on three (3) separate days is suspended and this ordinance shall become effective immediately upon its passage as required by this emergency and as provided by the City Charter of the city of Austin.

PASSED AND APPROVED

January 28

, 1988

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§
§


Frank C. Cooksey
Mayor

APPROVED: 

Jonathan R. Davis
Acting City Attorney

ATTEST: 

James E. Aldridge
City Clerk

21JAN88
SJH:gv
Exhibits
ord-r-87.169

2

CRICHTON & ASSOCIATES
LAND SURVEYORS
1538 E. ANDERSON LANE #2
AUSTIN, TEXAS 78752
512-837-2000

FIELD NOTES

FIELD NOTES FOR 27,326 SQUARE FEET OF LAND OUT OF THE JOHN APPLGATE SURVEY IN TRAVIS COUNTY, TEXAS, SAID TRACT ALSO BEING A PORTION OF A TRACT CONVEYED TO RUNDBERG LANE PROPERTIES IN VOLUME 3812, PAGE 33 OF THE TRAVIS COUNTY, TEXAS DEED RECORDS, SAID TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a point on the Southeast line of said Rundberg Lane Properties from which the Southeast corner of said tract bears S. 29 deg. 38' W., 211.31 feet, said point also being on the Northwest line of a 2.168 acre tract conveyed to Tom McElhenny in Volume 5139, Page 225 of the Travis County, Texas Deed Records for the Southeast corner of this tract and the POINT OF BEGINNING.

THENCE through the interior of said Rundberg Lane Properties tract, the following four (4) courses:

- 1) N. 60 deg. 22' W., 181.43 feet for the Southwest corner of this tract;
- 2) N. 74 deg. 06' E., 159.08 feet;
- 3) N. 29 deg. 38' E., 186.47 feet for the Northwest corner of this tract;
- 4) S. 60 deg. 22' E., 70.00 feet to a point on the Southeast line of said tract conveyed to Rundberg Lane Properties, said point also being on the Northwest line of a 2.0 acre tract conveyed to Tom McElhenny in Volume 4026, Page 1396 of the Travis County, Texas Deed Records for the Northeast corner of this tract.

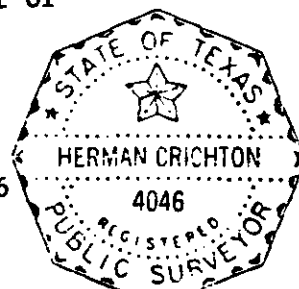
THENCE S. 29 deg. 38' W. with the common line of said 2.0 acre tract and Rundberg Lane Properties tract at 10.98 feet pass the Northwest common corner of said 2.0 acre tract and said 2.168 acre tract continuing on with said 2.168 acre tract, in all a distance of 300.00 feet to the POINT OF BEGINNING and containing 27,326 square feet, more or less.

I hereby certify that the foregoing field notes were prepared based on record information and is true and correct to the best of my knowledge.

WITNESS MY HAND AND SEAL THIS THE 14TH DAY OF OCTOBER 1987

EXHIBIT "A"

Herman W. Crichton
Herman W. Crichton, R.P.S. #4046



CRICHTON & ASSOCIATES
LAND SURVEYORS
1538 E. ANDERSON LANE #2
AUSTIN, TEXAS 78752
512-837-2000

FIELD NOTES

FIELD NOTES FOR 13,650 SQUARE FEET OF LAND OUT OF THE JOHN APPLGATE SURVEY IN TRAVIS COUNTY, TEXAS, SAID TRACT BEING A PORTION OF A TRACT CONVEYED TO RUNDBERG LANE PROPERTIES IN VOLUME 3812, PAGE 33 OF THE TRAVIS COUNTY, TEXAS DEED RECORDS, SAID TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a point on the Southeast line of said tract conveyed to Rundberg Lane Properties from which the Southeast corner of said tract bears S. 29 deg. 38' W., 511.31 feet said point also being on the Northwest line of a 2.0 acre tract conveyed to Tom McElhenny in Volume 4026, Page 1396 of the Travis County, Texas Deed Records for the Southeast corner of this tract and the POINT OF BEGINNING.

THENCE through the interior of said Rundberg Lane Properties tract, the following three (3) courses:

- 1) N. 60 deg. 22' W., 70.00 feet to the Southwest corner of this tract;
- 2) N. 29 deg. 38' E., 195.00 feet to the Northwest corner of this tract;
- 3) S. 60 deg. 22' E., 70.00 feet to a point on the Southeast line of said Rundberg Lane Properties also being the Northwest line of said 2.0 acre tract for the Northeast corner of this tract.

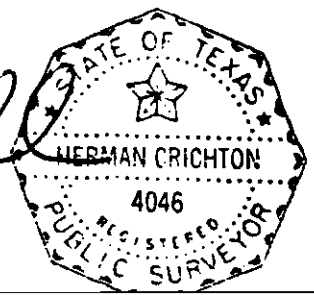
THENCE S. 29 deg. 38' W. with the common line of said Rundberg Lane Properties tract and said 2.0 acre tract, 195.00 feet to the POINT OF BEGINNING and containing 13,650 square feet, more or less.

I hereby certify that the foregoing field notes were prepared based on record information and is true and correct to the best of my knowledge.

WITNESS MY HAND AND SEAL THIS THE 14TH DAY OF OCTOBER 1987

EXHIBIT "B"

Herman W. Crichton
Herman W. Crichton, R.P.S. #4046



3

CRICHTON & ASSOCIATES
LAND SURVEYORS
1538 E. ANDERSON LANE #2
AUSTIN, TEXAS 78752
512-837-2000
FIELD NOTES

FIELD NOTES FOR 37,485 SQUARE FEET OF LAND OUT OF THE JOHN APPLIGATE SURVEY IN TRAVIS COUNTY, TEXAS, SAID TRACT BEING A PORTION OF A 2.168 ACRE TRACT CONVEYED TO TOM MCELHENNY IN VOLUME 5139, PAGE 225 OF THE TRAVIS COUNTY, TEXAS DEED RECORDS ALSO BEING A PORTION OF A 2.0 ACRE TRACT CONVEYED TO TOM MCELHENNY IN VOLUME 4026, PAGE 1396 OF THE TRAVIS COUNTY, TEXAS DEED RECORDS, SAID 37,485 SQUARE FEET BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING for reference at the Southeast common corner of said 2.168 acre tract and said 2.0 acre tract, said point also being on the West R.O.W. of Interstate Highway 35.

THENCE N. 60 deg. 22' W., 182.72 feet to the POINT OF BEGINNING.

THENCE through the interior of said 2.168 acre tract, the following five (5) courses:

- 1) S. 29 deg. 38' W., 55.53 feet;
- 2) S. 60 deg. 22' E., 21.00 feet;
- 3) S. 29 deg. 38' W., 120.00 feet for the Southeast corner of this tract;
- 4) N. 60 deg. 22' W., 132.00 feet for the Southwest corner of this tract;
- 5) N. 29 deg. 38' E., at 210.53 feet pass the common line of said 2.168 acre tract and said 2.0 acre tract continuing on through said 2.0 acre tract, in all a distance of 315.00 feet for the Northwest corner of this tract.

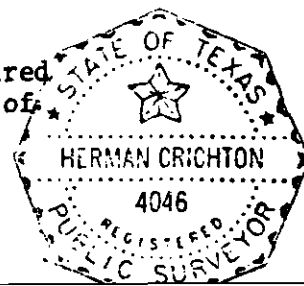
THENCE continuing on through said 2.0 acre tract, the following two (2) courses:

- 1) S. 60 deg. 22' E., 111.00 feet to the Northeast corner of this tract;
- 2) S. 29 deg. 38' W., 139.47 feet to the POINT OF BEGINNING and containing 37,485 square feet, more or less.

I hereby certify that the foregoing field notes were prepared based on record information and is true and correct to the best of my knowledge.

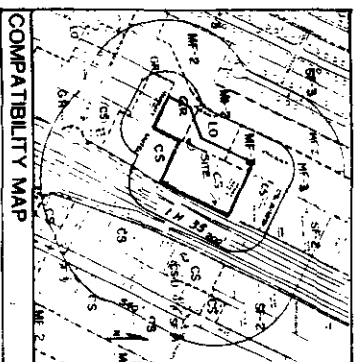
WITNESS MY HAND AND SEAL THIS THE 14TH DAY OF OCTOBER, 1987

EXHIBIT "C"



[illegible][illegible]

ZONED GR
ZONED CS

[illegible][illegible]

SITE PLAN

IH-35 (SOUTHBOUND) FRONTAGE ROAD

SHOWPLACE LANE

ZONED CS ZONE(1) ME-3

**PENROSE
AND
SOCIATES INC.**
ARCHITECTURAL ENGINEERS

SHOWPLACE LANES
8616 North LH. 35

JOB NUMBER
4424

Sheet 1
A1 2

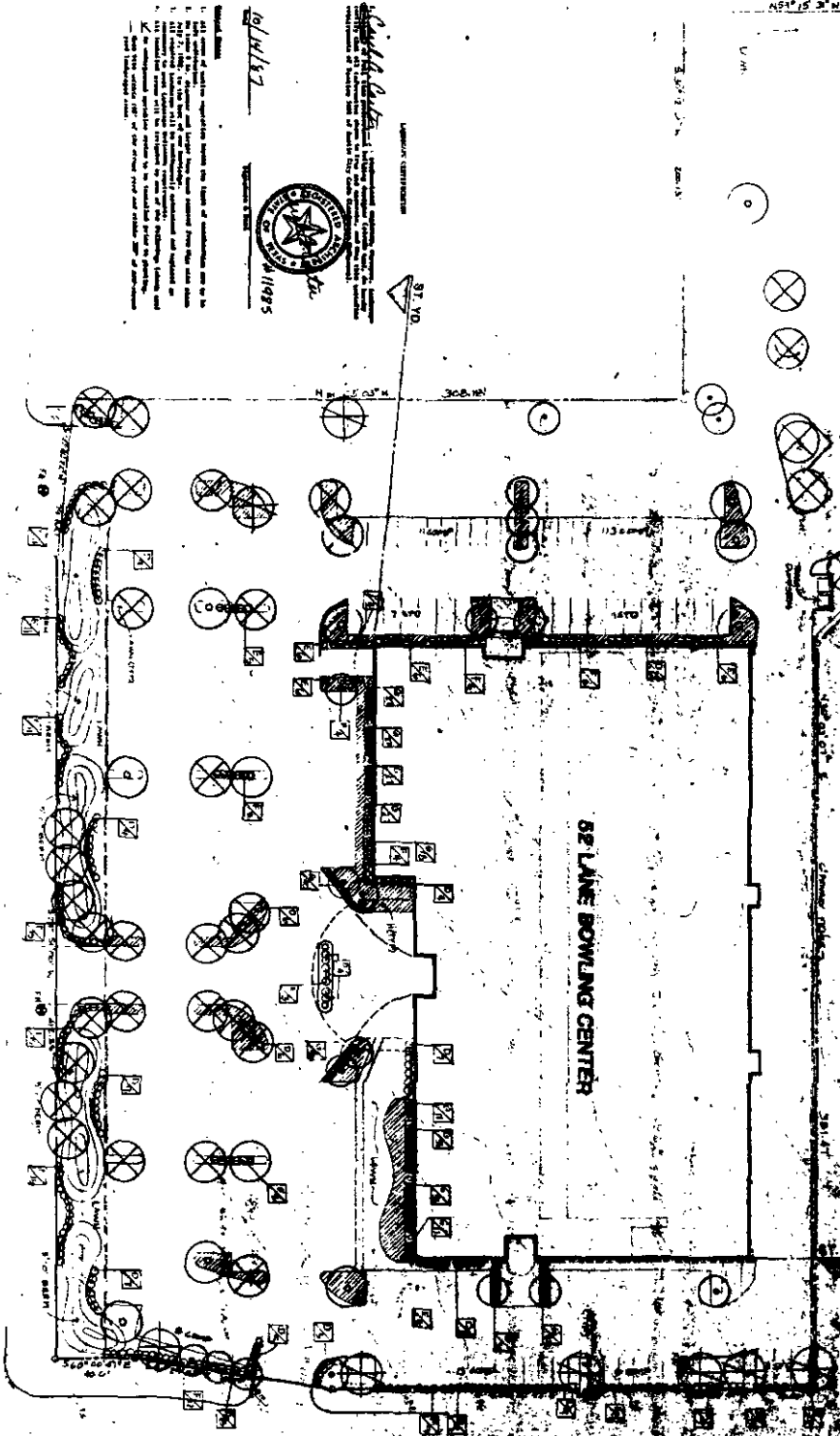
EXHIBIT "D"
C147-87-169

LIMIT OF CONSTRUCTION

1. The applicant is required to provide a list of all plants to be installed in the landscape plan.
2. The applicant is required to provide a list of all plants to be installed in the landscape plan.
3. The applicant is required to provide a list of all plants to be installed in the landscape plan.
4. The applicant is required to provide a list of all plants to be installed in the landscape plan.
5. The applicant is required to provide a list of all plants to be installed in the landscape plan.

Plant List

Plant Name	Quantity	Plant Name	Quantity
1. Plant Name	1	2. Plant Name	1
3. Plant Name	1	4. Plant Name	1
5. Plant Name	1	6. Plant Name	1
7. Plant Name	1	8. Plant Name	1
9. Plant Name	1	10. Plant Name	1
11. Plant Name	1	12. Plant Name	1
13. Plant Name	1	14. Plant Name	1
15. Plant Name	1	16. Plant Name	1
17. Plant Name	1	18. Plant Name	1
19. Plant Name	1	20. Plant Name	1
21. Plant Name	1	22. Plant Name	1
23. Plant Name	1	24. Plant Name	1
25. Plant Name	1	26. Plant Name	1
27. Plant Name	1	28. Plant Name	1
29. Plant Name	1	30. Plant Name	1
31. Plant Name	1	32. Plant Name	1
33. Plant Name	1	34. Plant Name	1
35. Plant Name	1	36. Plant Name	1
37. Plant Name	1	38. Plant Name	1
39. Plant Name	1	40. Plant Name	1
41. Plant Name	1	42. Plant Name	1
43. Plant Name	1	44. Plant Name	1
45. Plant Name	1	46. Plant Name	1
47. Plant Name	1	48. Plant Name	1
49. Plant Name	1	50. Plant Name	1
51. Plant Name	1	52. Plant Name	1
53. Plant Name	1	54. Plant Name	1
55. Plant Name	1	56. Plant Name	1
57. Plant Name	1	58. Plant Name	1
59. Plant Name	1	60. Plant Name	1
61. Plant Name	1	62. Plant Name	1
63. Plant Name	1	64. Plant Name	1
65. Plant Name	1	66. Plant Name	1
67. Plant Name	1	68. Plant Name	1
69. Plant Name	1	70. Plant Name	1
71. Plant Name	1	72. Plant Name	1
73. Plant Name	1	74. Plant Name	1
75. Plant Name	1	76. Plant Name	1
77. Plant Name	1	78. Plant Name	1
79. Plant Name	1	80. Plant Name	1
81. Plant Name	1	82. Plant Name	1
83. Plant Name	1	84. Plant Name	1
85. Plant Name	1	86. Plant Name	1
87. Plant Name	1	88. Plant Name	1
89. Plant Name	1	90. Plant Name	1
91. Plant Name	1	92. Plant Name	1
93. Plant Name	1	94. Plant Name	1
95. Plant Name	1	96. Plant Name	1
97. Plant Name	1	98. Plant Name	1
99. Plant Name	1	100. Plant Name	1



PROJECT ADDRESS:
52 LANE BOWLING CENTER
DALLAS, TEXAS 75201

PROJECT DESCRIPTION:
LANDSCAPE ARCHITECTURE
DESIGN AND CONSTRUCTION

PROJECT ZONING:
CITY OF DALLAS
ZONING DEPARTMENT

PROJECT REQUESTED:
LANDSCAPE ARCHITECTURE
DESIGN AND CONSTRUCTION

DATE:
10/14/87

SCALE:
1" = 10'

PROJECT NO.:
4424

SHOWPLACE LANE

52 LANE BOWLING CENTER

LANDSCAPE ARCHITECTURE

DESIGN AND CONSTRUCTION

DATE:
10/14/87

SCALE:
1" = 10'

PROJECT NO.:
4424

EXHIBIT "D"

CH-87-169

CHP

DATE:
10/14/87

SCALE:
1" = 10'

PROJECT NO.:
4424

LANDSCAPE PLAN

IH-35 (SOUTH) FRONTAGE ROAD

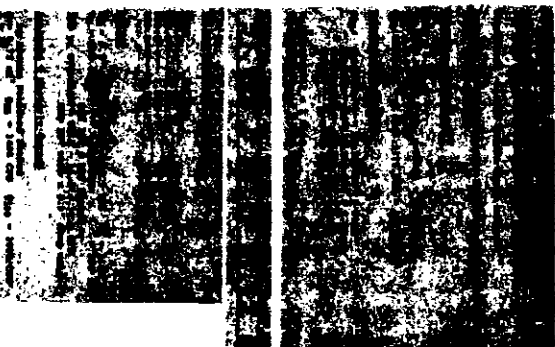
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EXHIBIT "D"

SHOWPLACE LINES

BARRY CAMPBELL
ENGINEERING, INC.
8800 SHILOH, CHICAGO, ILLINOIS 60630
TEL: 312/434-1100

NOTES:
1. THE SHOWN AND PROPOSED
ROADS ARE TO BE CONSTRUCTED
AND MAINTAINED BY THE
LOCAL GOVERNMENT.
2. THE SHOWN AND PROPOSED
ROADS ARE TO BE CONSTRUCTED
AND MAINTAINED BY THE
LOCAL GOVERNMENT.
3. THE SHOWN AND PROPOSED
ROADS ARE TO BE CONSTRUCTED
AND MAINTAINED BY THE
LOCAL GOVERNMENT.

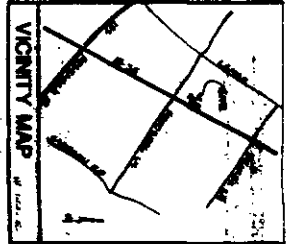
H-35 (SOUTH) FRONTAGE ROAD

EXHIBIT "D"

C14-87-169 / C14-89-030

NOTE: SEE SHEET 100-2 FOR
DETAILED CALCULATIONS.

11/2/87



PENROSE AND ASSOCIATES INC.
ARCHITECTURAL ENGINEERS

SHOWPLACE LANE
GRADING & EROSION CONTROL

4424

2 of 2

26 87 044

Austin American-Statesman

City of Austin

AFFIDAVIT OF PUBLICATION

THE STATE OF TEXAS
COUNTY OF TRAVIS

Before me, the undersigned authority, a Notary Public in and for the County of Travis, State of Texas, on this day personally appeared:

James R. Frizzell

Classified Advertising Agent of the Austin American-Statesman, a daily newspaper published in said County and State, who being duly sworn by me, states that the attached advertisement was published in said newspaper on the following dates, to wit:

April 8th, 1988

and that the attached is a true copy of said advertisement.

SWORN AND SUBSCRIBED TO BEFORE ME, this the 13th

Day of April A.D. 1988.

Denise Stegall
(Type or Print Name)

Denise Stegall
Notary Public in and for
TRAVIS COUNTY, TEXAS

3/3/90
(My Commission Expires:)